

TESTIMONY

THE UNDERFUNDING OF SPECIAL EDUCATION AND ITS IMPACT ON PUBLIC

SCHOOLS IN CONNECTICUT

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SUPERINTENDENT OF SCHOOLS,

CHESTER, DEEP RIVER, ESSEX, AND REGION 4 SCHOOLS

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Madam Chairs, Mr. Chairmen, and members of the Appropriations Committee, and Elementary and Secondary Education Sub-Committee,

Thank you for allowing me to speak before you this evening. My name is Ruth Levy, and I am the Superintendent of Schools in Chester, Deep River, Essex, and Region 4. My district is unique in its governance structure, as it encompasses four distinctly different districts that individually and collectively share the burden that Special Education cost has put upon them. Having spent the majority of my career as a special educator and administrator, and now as Superintendent, I see the negative impact that underfunding special education has had in the communities I serve, and across the state of Connecticut. Tonight, I would like to share how current legislation has burdened our districts and towns.

Mental Health, social and emotional issues in our schools have increased dramatically thus requiring more services within our schools, and contracted services with outside providers in many cases. Staffing increases have been necessary for both certified and non-certified positions, all at a significant and often unanticipated cost.

We dutifully and gladly welcome students in their home schools with multiple and significant disabilities, students who previously were educated in out of district placements in years past. All of these costs are included within our budgets, when we know about a student's arrival to our district. In addition to physical classroom accommodations, there may be specialized equipment, ancillary service providers, specialists, transportation, and year round services. All of these have large price tags associated with them.

Our preschool programs are growing as more and more students are identified with disabilities at an early age. Our mandated services begin the day a child turns three. In addition to staffing needs, ABA supports, physical, occupational, art and music therapists, and many others, there are multiple types of equipment that must be purchased to meet the unique needs of each and every child entering our doors. We have gone from ½ day to full day programs for our young children with disabilities, again, all at rising costs.

Students are entitled to and in need of transition services to the age of 21, requiring job coaches and multiple professionals within the school and community to support employment and postsecondary opportunities for our identified population. Unlike the preschool mandate where services begin on their 3rd birthday, students who may turn 21 in July are entitled to receive an additional full school year of services.

Out of District placement costs continually rise, along with transportation and additional support services at private facilities. Private facilities can increase their tuition and service provider costs, and districts are obligated to pay them. What has not changed in years? The excess cost formula. Simply, our budgets cannot handle the increasing financial burden being placed upon us. Our current 41/2 times per pupil cost before 1 cent is returned to our budget is burdensome. As our enrollment declines, our per pupil costs only get higher. To make matters worse, the 100% reimbursement after we reach the threshold no longer exists. Our business office has to estimate conservatively as the state will only fund 75 to 80% of the 100% at best. This is unfair to districts and our small towns. It is not uncommon for us to freeze our budgets in September due to unanticipated special education costs, impairing our ability to serve the needs of our total population. We have had to go back to our three small towns to ask for additional appropriations to mitigate the cost of special education in our schools. For example, Chester had to go back for an additional appropriation of \$52,540. Deep River was required to add an additional \$32,000. These requests may only

be made after the current year's budget has been all but depleted. This would include the elimination of field trips, supplies, enrichment activities, and assemblies. I ask you to please consider removing the cap on the excess cost grant and help our districts and towns budget for all of our children.

Special Education Litigation in Connecticut may alone be responsible for the financial devastation of communities like ours. Our districts choose between pay — or pay, given our current Connecticut Statutes. Burden of proof requires the school district to prove its placement or program appropriate in a due process hearing, even when the parent (plaintiff) requests the due process hearing. This is not a Federal requirement, but rather a part of Connecticut regulations (Conn. Agencies Regs.10-76h-14).

The enormous expenditures to prove or disprove allegations made, in addition to attorneys' fees, can needlessly and inappropriately dismantle a district and their respective towns, forcing districts to choose the lesser of two evil expenditures. I ask you to please place the burden of proof on the party that requests the due process hearing.

Researching the cost of Special education in Region 4, Chester, Deep River, and Essex over the past five years has yielded startling results. The data collected, demonstrated that special education costs have steadily grown by 26.46% district wide from 2007-2008 through 2012-2013. General education costs from 2007-

2008 through 2012-2013 have risen only 6.35% district wide. These are frightening statistics for our schools and towns in an economy where budgets have great difficulty passing each year. This disparity in funding can lead to distrustful relationships in small towns between boards of selectman, finance, and education. Beyond the financial implications, our current structure for special education funding seems to be forgetting about a large portion of students we also serve who may not be identified under the umbrella of special education.

I ask you to please consider the devastation that underfunding special education has put us in at the district and town level, and develop financial remedies.

Thank you for your consideration of this testimony.

Dr. Ruth Levy